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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,040	05/21/1999	PHILIP W GILLIS	2925-0224/GI	7281

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EXAMINER
DAS, CHAMELI

ART UNIT	PAPER NUMBER
2122	

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Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td></td><td>Application No.
09/316,040</td><td>Applicant(s)
GILLIS, PHILIP W</td></tr>
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C.DAS</td><td>Art Unit
2122</td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 August 2002</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15,17-54 and 57-65</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15,17-54 and 57-65</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

1. This action is in response to the CPA filed on 8/19/02.

2. Claims 1, 6-7, 11-12, 15, 17-18, 20-36, 44 and 57 have been amended.

3. Claims 16, 55 and 56 are canceled.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2, 4-15, 17, 19-22, 26-34, 36-37, 39-43, 48, 50-54, 57, 59, 61, 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tidwell, II (Tidwell), US 5,859,637 in view of Linnett et al (Linnett), US 5,301,326.

As per claim 1, Tidwell discloses:

- *a method for creating a wizard* (column 2 line 48, "The present invention is a **method** for **creating a wizards**")

- *prompting input* (column 6 line 21-22,"programmable means for said SmartGuides to **prompt said user for input**")

- process steps and a plurality of potential selections associated with each of the

process steps (column 4 line 18-59, "Here's an entry field ... The <dataentry> fields create boxes

for the user to enter input to the application (409)"), if the user enters "name", there are several

selections associated with the each input

- using the process steps and associated potential selections to create a wizard as

claimed (column 2 line 48-60, "The present invention in a method for **creating wizards** using a

script-like language that supports a **predetermined set of commands** ... user interface to the

user") and (column 2 line 25-30, "It is an object of the invention to present an intuitive, easy to

use method of creating wizards such that a person familiar with the user interface of the

application program and able to understand a finite set of English-like commands is able to create

the wizard using this predetermined set of commands"), where the predetermined set of

commands are process steps and associated potential selection.

Tidwell does not specifically disclose storing the input processes and output is based

upon input selections.

However Linnett discloses storing the input processes and output is based upon input

selections (column 9 line 32-33, "**collecting user input relating to the specialized task** to be

performed") and (column 9 line 36-38, "selecting commands to effect the performance of the

specialized task by the application computer program **based on the collected user input**"),

where collecting user input relating to the specialized task is considered as **storing the input**

process and the performance of the socialized task is considered as the output which is based on

the collected input. The specialized task is performed by the interface program which is a wizard is shown in (column 2 line 32-34, "It is another object of the present invention to provide an **interface program** that has expert knowledge relating to the performance of a specialized task") and (column 3 line 10-11, "**An interface program is referred to as a wizard**").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teaching of Linnett into the method of Tidwell to store the input processes and create the output based upon the input. The modification would be obvious because one of the ordinary skill in the art would want to provide an efficient tool and allows third parties to extend and customize the feature of an existing application program (column 2 line 28-30).

Claim 36 is a computer usable medium claim corresponding to the method claim 1 and rejected under the same reason set forth in connection of the rejection of claim 1.

As per claim 2, 37 and 48, Tidwell discloses:

- prompting is performed by a displayed template (Figure 4A, 4B and 4C)
As per claim 4, Tidwell discloses:

- input of a designation is further prompted, associating a potential selection with a subsequent process steps (Fig 4B and Fig 4C), where for a input some potential selections are associated with these input which are displayed in the windows.

Tidwell does not specifically disclose storing the input processes. However Linnett discloses storing the input processes (column 9 line 32-33, "**collecting user input relating to the specialized task** to be performed"), where the specialized task is performed by the interface program which is a wizard (column 2 line 32-34) and , "(column 3 line 10-11).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teaching of Linnett into the method of Tidwell to store the input processes. The modification would be obvious because one of the ordinary skill in the art would want to provide an efficient wizard.

As per claims 4, 26, 39 and 50, Tidwell discloses:

- input of a designation is further prompted, associating a potential selection as claimed (column 4 line 10-60).

As per claim 5 and 27, Tidwell discloses:

- potential selections permits input of a character string (Fig. 4C), where the potential selection is "Vanilla", which is a character strings

As per claim 6, Tidwell discloses:

- wherein the created wizard is displayed (column 5 line 37-39, " SmartGuide Driver presenting a **graphical user interface** to the user based on instructions within the **SmartGuide Script**"), where **Smartguide is the wizard** (column 2 line 52-54, "The **wizards, or**

SmartGuides as they are called when implemented using the script-like means of the present

invention").

As per claim 7 and 61, Tidwell discloses:

- wherein the created wizard is displayed as sequential process steps with potential

selections (column 5 line 37-39) and Figure 4A, 4B and 4C.

As per claim 8, Tidwell discloses:

- wherein each of the plurality of sequential steps in a process is displayed concurrent

with a single step and associated potential selections (Fig 4A, 4B and 4C).

As per claims 9, 10, 28, 29, 40, 41, 51 and 52, Tidwell discloses:

- query and potential answers are prompted (Fig 4B and 4C).

As per claim 11 and 30, Tidwell does not specifically disclose storing the created

wizard. However, Linnett discloses storing the created wizard (Figure 6 in 603 "**Save previous**

pages"), where the page is a **pagewizard** (column 3 line 12-13, "several user interface programs,

called **PageWizards**").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Linnett into the method of Tidwell to store the

created wizard. The modification would be obvious because one of the ordinary skill in the art

would allow the third parties to extend and customize the feature of an existing tool (stored wizard).

As per claim 12 and 31, Tidwell discloses:

- *wizard is modifiable* (column 2 line 34-35, "It is yet another object of the present invention to **enable users to modify a wizard**").

As per claim 13, 32, 42 and 53, Tidwell discloses:

- *indicating one of machine and non-machine processing* (column 5 line 26-27, "A method in a **computer system for enabling** a user to perform a task by a SmartGuide providing direction to an application program"), where " a method in a computer system for enabling a user" is considered as a **machine process** and (column 5 line 32-34, "SmartGuide Script created using a discrete number of **English-readable commands** to present information to the user"), where " **English-readable commands" is considered as non-machine process.**

As per claim 14, 33, 34, 43, 54 and 59 Tidwell discloses:

- *input of information relating to the machine processing is prompted* (column 3 line 50-51, "SmartGuide scripts (209) are then created which execute in the memory") and (column 5 line 5-6, "FIG. 4C is a panel which presents the results of the information input to the

SmartGuide by the user"), where Smartguide is the wizard, which is executing inherently

including machine processing and prompting to the user.

As per claim 15 Tidwell discloses:

- created wizard sequentially conveys each of input process steps and prompts

selections of a potential selection (column 5 line 26-33).

As per claim 17, Tidwell discloses:

- created wizard sequentially displays each of the input process steps (Fig 4A, 4B and

4C).

As per claim 19, Tidwell discloses:

- wherein conveyance of a process step is dependent upon a selection made in response

to a previously conveyed process step (Fig 4A, 4B and 4C), where <back> and <next> are

considered as previous and next steps.

As per claim 20, Tidwell discloses:

- A wizard creator (Abstract line 1-3, "A method and apparatus are provided

whereby a person not familiar with.programming or programming languages **can create a**

wizard")

　　　　- a user interface (Abstract line 3-4, "to **interface between** an application program **and the user**")

　　　　- adapted to prompt input of process steps (column 6 line 21-22, "programmable means for said SmartGuides to **prompt said user for input**")

　　　　- potential selections associated with each of the process steps (Fig 4A, 4B and 4C)

　　　　- a memory (column 3 line 50-51, "SmartGuide scripts (209) are then created which execute in the **memory (201)**")

　　　　- a processor (column 3 line 37-38, "computer system containing a display device, a processor and an input device")

　　　　- create a wizard (column 2 line 52-53, "The **wizards or SmartGuides** as they are called **when implemented** using the script-like means").

　　　　Tidwell does not specifically disclose storing the input processes and output is based upon input selections.

　　　　However Linnett discloses storing the input processes and created wizard is based upon input selections (column 9 line 32-33, "**collecting user input relating to the specialized task** to be performed") and (column 9 line 36-38, "selecting commands to effect the performance of the specialized task by the application computer program **based on the collected user input**"), where collecting user input relating to the specialized task is considered as **storing the input process** and the performance of the socialized task is considered as the output which is based on

the collected input. The specialized task is performed by the interface program which is a wizard

is shown in (column 2 line 32-34, "It is another object of the present invention to provide an

interface program that has expert knowledge relating to the performance of a specialized task")

and (column 3 line 10-11, "**An interface program is referred to as a wizard**").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

of invention was made to incorporate the teaching of Linnett into the method of Tidwell to store

the input processes and create the output based upon the input. The modification would be

obvious because one of the ordinary skill in the art would want to provide an efficient tool and

allows third parties to extend and customize the feature of an existing application program

(column 2 line 28-30).

As per claims 21, 22 Tidwell discloses:

      - user interface and user interface is an integrated input and displayed (column

4 line 10-60).

As per claim 57, Tidwell discloses:

      - accessing prestored information and creating the wizard, at least in part, based upon

the prestored information (column 2 line 62-67, "the SmartGuides of the present invention

allow the user to customize the SmartGuide for their particular application .. modifying the

commands contained in the SmartGuide Script"), where modifying the commands contained in

the Smartguide script" inherently including accessing prestored information for customizing the wizard.

6.   *As per claim 65, Tidwell does not specifically disclose the plurality of languages.*

However, in backgroud of the invention discloses the plurality of languages (column 2 line 12-15, "wizards are traditionally written in programming languages such as C or C++. Since the wizards are written in programming languages").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teaching of the background into the Tidwell to have plurality of languages. The modification would be obvious because one of the ordinary skill in the art want to have different choices of language.

7.   Claims 63-64 are rejected over Tidwell, II (Tidwell), US Patent No. 5,859,637 and Linnett et al (Linnett), US Patent No. 5,301,326 and further in view of Batch et al (Batch), US Patent No. 5423,023.

As per claim 63 and 64, neither Tidwell nor Linnett specifically disclose:

       - information are stored in a state transition table. However, Batch disclose the information are stored in a state transition table (column 4 line 67-68 and column 5 line 1-7).

       Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention was made to incorporate the teaching of Batch into the combined method of Tidwell and Linnett to store the information in the state transition table. The modification would

be obvious because one of the ordinary skill in the art would be motivated to store the

information logically for operating and interacting the information with digital waveforms

(column 5 line 1-10).

8.   Claims 3, 18, 23-25, 35, 38, 44-47, 49, 58, 60, 62 are rejected over Tidwell, II (Tidwell)

US Patent No. 5,859,637 and Linnett et al (Linnett), US Patent No. 5,301,326 and further in view

of Sonnenreich et al (Sonnenreich), US Patent No. 5,974,446.

As per claim 3, 18, 24, 25, 38 and 49, neither Tidwell nor Linnett disclose:

prompting is audible. However, Sonnenreich discloses the prompting is audible

(column 4 line 48-50, "As the audio plays through there will be numerous images and interactive

demonstration that will appear on the user's screen").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Sonnenreich into the combined method of

Tidwell and Linnett to have audible prompting for the user. The modification would be obvious

because one of the ordinary skill in the art would be motivated to produce a sound allowing a

user to send or receive information efficiently.

As per claim 23, neither Tidwell nor Linnett disclose the user interface is a touch

screen. However, Sonnenreich discloses the touch screen (column 10 line 5-7, "the user is now

ready to select (G) the topic (subject) of interest on the main screen by "pressing" the appropriate

button (i.e. mouse or **touch screen,** etc.).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Sonnenreich into the combined method of

Tidwell and Linnett to have touch screen. The modification would be obvious because one of the

ordinary skill in the art would be motivated to provide a system where the user can make a

selection of the icon easily.

As per claim 35 and 62 **neither Tidwell nor Linnett disclose URL.** *However,*

Sonnenreich discloses URL (column 7 line 64, "Suitable types of the above are described in the

following Web Page **URL references:**").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Sonnenreich into the combined method of

Tidwell and Linnett to includes input of a URL. The modification would be obvious because one

of the ordinary skill in the art would be motivated to locate a resource (such as a file) from

anywhere in the Internet.

As per claim 44, **neither Tidwell nor Linnett disclose** *propagated signal.* *However*

Sonnenreich discloses propagated signal (column 3 line 10-11, "university link-ups with **digital**

signal transmission are being tested").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Sonnenreich into the combined method of

Tidwell and Linnett to propagate a signal. The modification would be obvious because one of

the ordinary skill in the art would be motivated to transmit information to the user efficiently.

For the rest of the limitations see the rejection of claim 1.

As per claim 45, 46 and 47, **neither Tidwell nor Linnett disclose** *propagated signal is*

digital bit stream and carrier wave. *However Sonnenreich discloses propagated signal is*

digital bit stream and carrier wave (column 3 line 10-11, "university link-ups with **digital**

signal transmission are being tested").

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of

invention was made to incorporate the teaching of Sonnenreich into the combined method of

Tidwell and Linnett to propagate a signal. The modification would be obvious because one of

the ordinary skill in the art would be motivated to transmit information to the user very distinctly

and clearly.

As per claims 58 and 60, **neither Tidwell nor Linnett disclose** *database. However*

Sonnenreich discloses data bases (column 6 line 65-67, "the user screen topic "buttons" are

customized by the server to those topics of interest selected by the user and stored in said

database;"). Sonnenreich does not specifically disclose the database is relational. Official notice

is taken in relational data base is well known in the art. It would have been obvious to one of the

ordinary skill in the art at the time of invention was made to make the data base relational

because one of the ordinary skill in the art would be motivated to find information easily and efficiently.

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

TITLE: Method and apparatus for operating system personalization during installation, US 6446260 B1

TITLE: Internet based distance learning system for communicating between server and clients wherein clients communicate with each other or with teacher using different communication techniques via common user interface, US 5974446 A

TITLE: Intelligent agents for electronic commerce, US 6119101

TITLE: Executable flowchart, US 5893105 A

TITLE: Object-oriented notification framework system, US 5315703 A

TITLE: Method and apparatus for ... ng the ... on of an applic... 30...6

TITLE: Non-programming method and apparatus for creating wizards with a script, US 5859637

TITLE: System and method for facilitating generation and editing of event handlers, US 6337696

TITLE: TaskGuides: instant wizards on the Web, Authors: Tidwell et al, ACM, 1997.

TITLE: Arena software tutorial, author: Markovitch et al, ACM, November 1996 .

TITLE: Applications of speech recognition in the area of telecommunications , author: Rabiner, IEEE, 1997.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339. The examiner can normally be reached on Monday-Friday from 8:00 A.M to 4:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Greg Morse can be reached at 703-308-4789. The fax number for this group is 703-746-7039. An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

C. DAS

9/24/03

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